

REMARKS

By this amendment, Applicant has amended the claims to more clearly define his invention. In particular, the claims have been amended to eliminate the indefiniteness problems noted by the Examiner in numbered section 5 of the Office Action. Moreover, independent claims 1 and 9 have been amended to recite that the ribs are provided in an upwardly and radially inwardly tapering upper area of the container. See, e.g., page 4, lines 17-19 of Applicant's specification. Independent claims 1 and 9 have also been amended to indicate that the ribs have at least one vertical extension component and that the ribs are arranged to guide the abrasive granules along the ribs inwardly towards the center of the container. See, page 5, lines 3-11 of Applicant's specification. Applicant has also amended claims 5 and 13 to be in independent form by including therein all of the limitations previously recited in claims 1 and 9, respectively. Applicant has also added claims 17-24 to further his invention.

In view of the foregoing amendments to the claims, it is submitted that all of the claims now in application comply with the requirements of 35 U.S.C. 112, second paragraph. Therefore, reconsideration and withdrawal of the rejection of claims 1-16 under 35 U.S.C. 112, second paragraph, are requested.

Claims 1-4, 6, 9-12 and 15 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent 4,958,776 to Walther. Applicant traverses this rejection and request reconsideration thereof.

The rejected claims relate to a device for grinding workpieces by means of abrasive granules and to a top part for a container of a device for grinding workpieces by means of abrasive granules. According to the present invention, the

container has an upwardly and radially inwardly tapering upper area. See, the figures on page 4, lines 17-19 of Applicant's specification. This upper area is provided with ribs having at least one extension component in the rotation direction of the disk as well as at least one vertical extension component. The ribs are arranged to guide the abrasive granules along the ribs inwardly towards a center of the container. See, page 5, lines 3-11 of Applicant's specification.

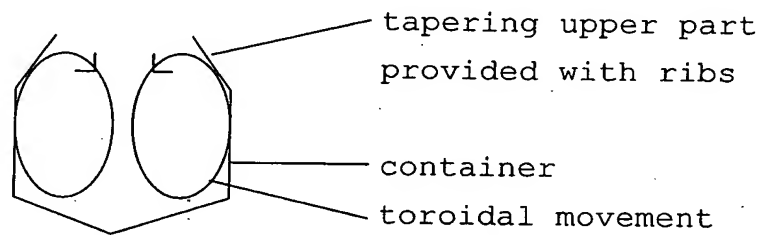
The patent to Walther discloses a centrifugal-force vibratory grinding machine. The Examiner notes that Figure 1 of this patent and alleges that Figure 1 shows an upper region of the container having ribs having at least a component of extension in both the vertical and rotational directions. While Figure 1 appears to show to blade-like members in an upper portion of the container, neither the structure or function of these blade-like members is clearly described. In any event, however, the upper portion of the container at which these blade-like members are provided is not upwardly and radially inwardly tapering. If anything, Figure 1 appears to show the upper portion of the container tapering upwardly and radially outwardly. Accordingly, the Walther patent does not disclose the invention set forth in the amended claims.

The ribs of the present invention are arranged to guide the abrasive granules along the ribs inwardly towards the center of the container. This function is neither disclosed nor suggested by Walther.

Due to the embodiment set forth in independent claims 1 and 9, it is possible to achieve a faster toroidal movement of the abrasive mixture as the time of stay along the container wall is significantly reduced (see, page 5 of the specification, last paragraph).

Due to abrasive mixture being guided along the ribs inwardly and towards the center of the container as well as upwardly in the tapering direction of the container, the abrasive mixture both is slowed down and the centrifugal forces exerted thereon become smaller so that the mixture may fall down on a substantially central part of the rotating disk which leads to a high acceleration of the mixture due to centrifugal forces acting thereon.

Although the effect of the blade-like "ribs" according to Walther is not mentioned in the patent, this arrangement is obviously not able to cause a toroidal movement of the mixture as it is desired in order to achieve a high faster and more effective working:



For the foregoing reasons, it is submitted that the Walther patent does not show either the structure or function of the ribs now set forth in independent claims 1 and 9. Accordingly, it is submitted that the presently claimed invention is patented over Walther.

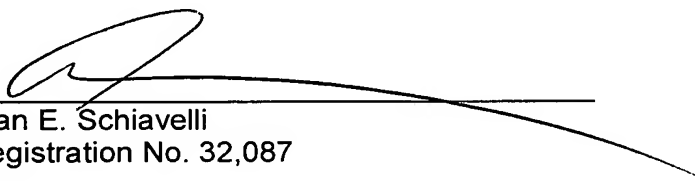
Applicant notes the indication of allowable subject matter in claims 5, 7, 8, 13, 14 and 16. Noting that claims 5 and 13 have been rewritten in independent form, it is submitted that all of the claims now in the application are now in condition for allowance.

Applicant notes the Examiner has cited a number of documents as being to Applicant's disclosure. However, since these documents are not applied in rejected claims formally in the application, further discussion of these documents is deemed unnecessary.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 321.43265X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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Attachments